

July 22, 2016

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***Notice of Ex Parte Presentation***

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

***Re: WC Docket No. 12-375, Inmate Calling Service***

Dear Ms. Dortch:

On July 20, 2016, Vincent Townsend, President of Pay Tel Communications, Inc. ("Pay Tel"), and Marcus Trathen of Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, regulatory counsel to Pay Tel, met with Claude Aiken, Legal Advisor to Commissioner Clyburn; Stephanie Weiner, Legal Advisor to Chairman Wheeler; Madeleine Findley, Deputy Bureau Chief of the Wireline Competition Bureau; and Gil Strobel, Deputy Division Chief, Pricing Policy Division of the Wireline Competition Bureau.

The purpose of the meeting was to discuss the Fact Sheet issued on July 14, 2016 in the above-referenced docket announcing that Chairman Wheeler and Commissioner Clyburn have circulated a proposed order on reconsideration proposing to increase the applicable rate caps set forth in the Second Report and Order, with the increases tied to demonstrated costs incurred by facilities in providing access to ICS. Pay Tel advocated for clarification of the relationship between the proposed rate additives and the payment of site commissions to confinement facilities. Specifically, Pay Tel urged the Commission to clarify that a per-minute fee, not to exceed the additive, may be collected by ICS providers and remitted to facilities in lieu of other payments. This approach could be implemented through a regulatory directive or through a rebuttable presumption. This clarification will enhance welfare and serve the public interest by helping to align the interests of facilities with consumers as facilities will seek to maximize revenue recovery by forcing providers to compete based on lowering rates to consumers; will help to address flaws in the Commission's previous approach; and will help deter litigation and create a regulatory environment that is more conducive to long-term stability. Pay Tel expressed its support for comprehensive, lasting ICS reform, and reiterated that addressing the issue of facility compensation was critical to achieving this reform.

Enclosed are Talking Points that summarize Pay Tel's position concerning the Fact Sheet.

No hand-outs or other documents were presented during the meeting.

In accordance with Section 1.1206 of the Commission's rules, this letter is submitted for inclusion in the record of the above-captioned proceeding.

Please do not hesitate to contact the undersigned should any questions arise concerning this notice.

Sincerely yours,

/s/ Marcus W. Trathen

Marcus W. Trathen

cc: Claude Aiken (via email)  
Stephanie Weiner (via email)  
Madeleine Findley (via email)  
Gil Strobel (via email)